

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA) CRIMINAL CASE NO. 04-10231-MLW
)
 v.)
)
 PETER V. MAGGIO, III, ET AL.)
)

GOVERNMENT'S MOTION TO CONTINUE STATUS CONFERENCE
WITH ASSENT OF DEFENDANTS

Comes now the United States of America, by Victor A. Wild, Assistant United States Attorney for the District of Massachusetts, and with the assent of defendants Deveau, O'Neill and Paradiso, moves this Court to continue the Status Conference scheduled for November 8, 2004 to November 9, 2004,¹ or such other date as may be convenient to this Court. As reasons for its motion, the Government submits the following:

1. Seven defendants were indicted on August 12, 2004;
2. Initial appearance for defendant Paradiso was held on September 28, 2004.
3. Initial appearance for defendant O'Neill was held on September 30, 2004. The parties have engaged in plea discussions toward a non-trial disposition of the case as to defendant O'Neill.
4. Initial appearance for defendant DeVeau was held on October 6, 2004. The parties have engaged in plea discussions and discussion of Rule 20 Transfer toward a non-trial disposition of the case as to defendant DeVeau.

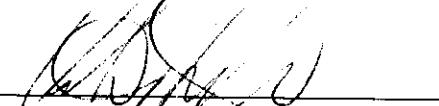
¹ This Court granted leave for defendant O'Neill and his counsel to be absent from the status conference on November 8, 2004. This motion for continuance to November 9, 2004, includes motion for leave of defendant O'Neill and his counsel to be absent on November 9th.

5. The Government contemplated consolidated discovery to all defendants after initial appearances were conducted and representation by counsel was determined as to all defendants. See Local Rule 116.1(C)(1) (automatic discovery on or before 28 days after arraignment); see also Local Rule 116.3(H) (requiring consolidated written defense requests and motions for discovery).
6. Initial appearances for the remaining defendants are scheduled for November 9th and 10th, 2004.
7. Counsel for defendants Deveau, O'Neill and Paradiso have authorized the Government to inform this Court of the defendants' assent to this motion.

WHEREFORE, the Government moves this Court to continue the Status Conference scheduled for November 8, 2004, to November 9, 2004, and to further continue the status conference to such further date as may be convenient to this Court after all defendants have been arraigned.

Respectfully submitted this 8th day of November, 2004.

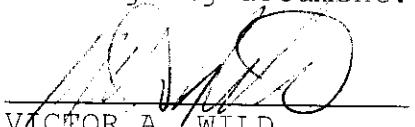
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By: 

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CERTIFICATE OF SERVICE

This is to certify that I have this day served upon the attorneys listed below a copy of the foregoing document.


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